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MOORE LANDREY
1609 SHOAL CREEK BLVD
AUSTIN, TX 78701

EXAMINER

REKSTAD, ERICK J

ART UNIT	PAPER NUMBER
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2621

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/854,033	Applicant(s) MONROE ET AL.	
	Examiner Erick Rekstad	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 March 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-41, 45 and 46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-41, 45 and 46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This is a Final Office Action for application no. 09/854,033 in response to the amendment filed on March 12, 2007.

Response to Arguments

Applicant's arguments with respect to claims 1-41 have been considered but are moot in view of the new ground(s) of rejection.

In regards to claims 4-7, 11, 12, 15-19, 21, 24-27 and 31 the common knowledge or well-known in the art statement is taken to be admitted prior art because applicant either failed to traverse the examiner's assertion of official notice or that the traverse was inadequate.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 6, 8, 21-24, 28, 45 and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6,385,772 to Courtney in view of US Patent 6,505,169 to Bhagavath et al. further in view of US Patent 6,185,737 to Northcutt et al. [claims 1, 23, 45 and 46]

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As shown in Figure 1, Courtney teaches a surveillance system (10) for use with a wired IP network (38) comprising:

- a camera for collecting and transmitting digital signals representing video/images in the range of the camera (12 and 13);

- a wireless transmitting device operable for receiving the signals (36). The wireless transmitting device provides a wireless link (49) between the portable device 46 and the system (22) (Col 4 Lines 40-43). It would have been obvious to one of ordinary skill in the art at the time of the invention that the transmitting device has a transmitter associated with it in order to provided the wireless link (Official Notice).

- a portable monitoring station having a receiver associated therewith and operable for receiving the wireless signal (48, 46) (Col 1 Line 65-Col 2 Line 5, Col 3 Lines 18-26, Col 4 Lines 3-13 and 27-45).

Courtney further teaches the ability of the user to select a desired camera stream to view using the portable unit. This selection is used by the server (24) to only output the video stream from the desired camera over a wireless network to the portable unit (Col 4 Lines 35-45 and Lines 52-58, Col 5 Line 52-Col 6 Line 3, Figs. 1 and 3).

Courtney further teaches the use of MPEG-4 for video transmitting (Col 7 Lines 20-

Courtney is silent on the use of multicasting and unicasting.

As shown in Figure 3, Bhagavath teaches a media streaming system including a wired multicast network, a Multicast-Unicast Gateway (MUG) and a unicast connection(109) to a user device (Col 2 Lines 46-49, Col 6 Lines 8-16). Bhagavath specifically teaches the use of the MUG for connecting an incompatible unicast network

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with a multicast network (Col 6 Lines 14-16). Bhagavath further teaches the users ability to select a desired media stream (Col 3 Lines 15-17). Bhagavath further teaches the networks maybe wired or wireless (Col 3 Lines 11-14). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the MUG of Bhagavath with the system of Courtney in order to provide a means to connect a unicast user with a multicast network. Bhagavath is silent on a media streaming system being a multicast camera.

As shown in Figure 3, Northcutt teaches the use of multi-media network appliance (30) which replaces a computer for providing video from a camera to a network (Abstract, Col 2 Lines 33-36, Col 3 Lines 1-5). Northcutt further teaches the network can be the internet (Col 2 Lines 62-65). Northcutt teaches one of the benefits of the system is the ability to provide multicasting (Col 3 Line 57-Col 4 Line 1, Col 5 Lines 61-64). The appliance is further taught to use mpeg and be used for surveillance (Col 6 Lines 8-10, Col 7 Lines 16-23). It would have been obvious to one of ordinary skill in the art at the time of the invention to replace the computer(24) of Courtney with the multi-media network appliance of Northcutt in order to provide a self-contained unit for multicasting surveillance video as suggest by Northcutt (Col 2 Lines 33-36, Col 5 Line 61-64, Col 7 Lines 16-23).

[claim 2]

Courtney teaches the use of multiple cameras each operable for transmitting a signal, and wherein the portable monitoring station is adapted for selecting any of the

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signals (Col 3 Lines 28-40, Col 5 Line 52-Col 6 Line 3). Note each camera (12 and 13) transmits a signal (26 and 28).

[claim 3]

As shown in Figure 3, Courtney teaches the portable monitoring station is adapted for selecting among a plurality of signals (Col 5 Lines 52-54).

[claim 6]

As shown above for claim 1, Courtney, Bhagavath and Northcutt teach the use of mpeg. Northcutt teaches the use of motion JPEG as an alternative to mpeg because mpeg is not well suited for use with unreliable or diagram-based protocols (Col 6 Lines 8-24). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the motion JPEG of Northcutt with the system of Courtney, Bhagavath and Northcutt as Northcutt teaches motion JPEG to be simpler, cheaper and more reliable than mpeg (Col 6 Lines 10-24).

[claim 8]

Courtney further teaches including a server (24, Figure 1) associated with the wireless transmitting device.

[claims 21 and 22]

As shown above Courtney teaches the surveillance system of claim 1. Courtney further teaches the portable module is a cellphone (46, Fig. 2) (Col 4 Line 19-27). Courtney further teaches a base station (36, Fig.2) used for wireless communication with the portable module through a radio frequency cellular telephone link. Though Courtney teaches only one base station it would have been obvious to one of ordinary

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skill in the art that the connection could be made to any base station on a cellular telephone network in order to provide the cellphone user access to the camera anywhere the cellular service is provided (Official Notice). Further, the telephone network is a well known switching network as required by claim 22.

[claim 24]

Courtney suggest the use of providing the portable unit a decoder in order to provide mpeg-4 video which provides more real-time video information (Col 7 Lines 20-36). Though Courtney does not specifically teach the use of a buffer with the decoder it is well known in the art to provide a buffer with the decoder in order to prevent overflow and underflow of the decoder (Official Notice).

[claim 28]

Courtney further teaches the use of the ancillary component (19) used to inform the base station and further the portable module (Col 6 Lines 38-53).

Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Courtney, Bhagavath and Northcutt as applied to claim 1 and further in view of US Patent 6,385,244 to Morad et al.

[claims 4 and 5]

Courtney, Bhagavath and Northcutt teach the use of a camera as shown above for claim 1. Courtney teaches the transformation of the images from the camera into viewable images for the portable display (Col 4 Line 59-Col 5 Line 25, Fig. 2). Northcutt teaches the use of motion JPEG (Col 6 Lines 8-10). Courtney, Bhagavath and Northcutt do not teach the transformation performed within the camera.

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Morad teaches the use of image processing units within a video camera (Col 14 Line 45-Col 15 Line 26, Fig. 12). Morad further teaches the camera contains a video input processor (106) with programmable resolution (SIF, QSIF, and the like) (Col 11 Line 53-Col 12 Line 11, Fig. 9). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the camera of Morad with the system of Courtney and Hendricks in order to adjust the resolution of the video.

Claims 7 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Courtney, Bhagavath and Northcutt as applied to claim 1 and further in view of US Patent 6,658,158 to Fukuhara et al.

[claim 7]

As shown above for claim 1, Courtney, Bhagavath and Northcutt teach the use of mpeg. Northcutt teaches the use of motion JPEG as an alternative to mpeg because mpeg is not well suited for use with unreliable or diagram-based protocols (Col 6 Lines 8-24). Northcutt further teaches the use of a modular construction in order to easily exchange the compression unit for another compression unit if desired (Col 6 Lines 25-30). Courtney, Bhagavath and Northcutt are silent on the use of a wavelet signal.

Fukuhara teaches the use of wavelet transform based signals (JPEG2000) as the successor to current DCT based systems (JPEG and MPEG) and wavelet transform is anticipated to be used in preference to pre-existing DCT as a basic transform system for picture compression (Col 1 Lines 35-50). It would have been obvious to one of ordinary skill in the art at the time of the invention to replace the compression module of

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Northcutt with a wavelet transform based compression module as Fukuhara teaches the preference of wavelet over DCT transforms.

[claim 31]

Though Courtney, Bhagavath and Northcutt do not specifically teach an access control signal it would have been obvious to one of ordinary skill in the art at the time of the invention to use a security means in order to prevent unauthorized users from accessing the images (Official Notice).

Claims 9-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Courtney, Bhagavath and Northcutt as applied to claim 8 above, and further in view of US Patent 6,675,386 to Hendricks et al.

[claims 9 and 10]

As shown above Courtney, Bhagavath and Northcutt teach the surveillance system of claim 8. The server of Courtney (24, Fig. 1) does not specifically show the server adapted for archiving the signals. As shown in Figure 2, Hendricks teaches the digital storage (132) attached to the server (130) for archiving the signals (Col 6 Lines 38-43). Hendricks further teaches the use of the stored video in order to provide additional information not available in the live video (Col 18 Lines 40-61, Figs. 17-18).

As shown by Hendricks, the user makes a selection which requires the server to provide the stored video as required by claim 10. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the system of Courtney with the storage system of Hendricks in order to provide additional information not available in the live video.

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[claims 11 and 12]

Courtney and Hendricks both teach the use of the internet and networking of system through land lines and wireless means as shown above. It would have been obvious to one of ordinary skill in the art at the time of the invention to use 802.11 or wireless IP as these are well known networking means in the art (Official Notice).

[claims 13 and 14]

Courtney further teaches the control means wherein the control signals sent by the portable module include camera control signals for controlling the camera (Col 3 Lines 2-40, Col 5 line 45-Col 6 Line 29, Fig. 3). As shown in Figure 3, the controls include pan (83 and 84), tilt (81 and 82), and zoom (85 and 86) as required by claim 14.

Claims 15-18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Courtney, Bhagavath, Northcutt and Hendricks as applied to claim 13 above, and further in view of US Patent 6,285,398 to Shinsky et al.

[claims 15-18]

Courtney teaches the control of pan, tilt and zoom for a camera as shown above. Courtney and Hendricks do not teach the control of focus, brightness, contrast, and hue. Shinsky teaches the control of the brightness, contrast and hue of a camera through a host computer using a graphical user interface (Col 9 Lines 40-56). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the system of Courtney and Hendricks with the control means of Shinsky in order to further provide camera controls to adjust the display to the preferences of the user. It would

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have been further obvious to include control of the focus of the camera as this is a well known parameter used by a user to adjust the display (Official Notice).

[claim 19]

As shown above Courtney, Hendricks and Shinsky teach the multiple number of camera controls provided to a user of a portable module. It would have been obvious to one of ordinary skill in the art at the time of the invention to use these multiple controls in order to position and focus the camera to present the desired view to the user (Official Notice).

Claim 20 rejected under 35 U.S.C. 103(a) as being unpatentable over Courtney, Bhagavath, Northcutt and Hendricks as applied to claim 13 above, and further in view of US Patent 5,926,209 to Glatt.

[claim 20]

Courtney and Hendricks teach the system of claim 13, wherein the user can control the pan (83 and 84), tilt (81 and 82), and zoom (85 and 86) of a camera , as shown in Figure 3. Courtney and Hendricks do not teach the control signals include an encoder configuration controls.

Glatt teaches the use of the control signals for a camera (pan, tilt and zoom), in a surveillance system, to configure the encoder in order to reduce computational and memory overhead required for compression of video data (abstract, Col 1 Lines 64-67). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the surveillance system of Courtney and Hendricks with the encoder control

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means of Glatt in order to reduce computational and memory overhead required for compressing the video.

Claims 25-27, 29 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Courtney, Bhagavath, and Northcutt as applied to claims 24 and 28 above, and further in view of US Patent 6,512,919 to Ogasawara.

[claims 25-27]

Courtney Bhagavath, and Northcutt teach the surveillance system of claim 24. Courtney does not teach the indication of the signal strength. Ogasawara teaches the use of a video phone which provides an indication of the signal strength (Col 7 Line 64-Col 8 Line 17). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the signal strength indicator with the portable unit of Courtney as the portable unit of Courtney is a cellphone. It would have further been obvious to one of ordinary skill in the art at the time of the invention to use the stored info in the buffer for determining signal strength as the buffer contains the signal coming into the cellphone (Official Notice).

[claims 29 and 30]

As shown above, Courtney, Bhagavath, and Northcutt teach the surveillance system of claim 28. Courtney does not teach the use of a bar-code scanner or magnetic strip reader. Ogasawara teaches the use of a bar-code reader (20, Fig. 3) and magnetic strip reader (27, Fig. 3) on the portable module for transmitting barcode information to the server in order to process an order for products (Col 5 Lines 30-59, Fig. 1 and 3). It would have been obvious to one of ordinary skill in the art at the time of

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the invention to combine the portable unit of Courtney with the bar-code reading system of Ogasawara in order to provide the ability to order supplies from a remote location.

Claims 32 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Courtney, Bhagavath, Northcutt and Fokuhara as applied to claim 7 above, and further in view of US Patent Application Publication 2001/0005684 to Inkinen et al.

[claims 32 and 34]

As shown above Courtney, Bhagavath, Northcutt and Fokuhara teach the system of claim 7. They do not teach the portable unit containing a camera. As shown in Figure 3, Inkinen teaches a similar portable unit which contains a camera (2) to enable the user of the portable unit to video conference between two or several points via telecommunication networks (Paragraphs [0005] and [0024]). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the camera of Inkinen with the portable system of Courtney, Bhagavath, Northcutt and Fokuhara in order to provide the ability to video conference.

Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Courtney, Bhagavath, Northcutt, Fokuhara and Inkinen as applied to claim 32 above, and further in view of US Patent 6,675,386 to Hendricks et al.

[claim 33]

As shown above Courtney, Bhagavath, Northcutt, Fokuhara and Inkinen teach the surveillance system of claim 32. The server of Courtney (24, Fig. 1) does not specifically show the server adapted for archiving the signals. As shown in Figure 2, Hendricks teaches the digital storage (132) attached to the server (130) for archiving the

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signals (Col 6 Lines 38-43). Hendricks further teaches the use of the stored video in order to provide additional information not available in the live video (Col 18 Lines 40-61, Figs. 17-18). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the system of Courtney, Bhagavath, Northcutt, Fokuhara and Inkinen with the storage system of Hendricks in order to provide additional information not available in the live video.

Claims 35-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Courtney, Bhagavath, Northcutt and Fokuhara as applied to claim 7 above, and further in view of US Patent Application Publication 2001/0026223 to Menard et al.

[claims 35-41]

Courtney, Bhagavath, Northcutt and Fokuhara teach the system of claim 7, as shown above. Courtney further teaches the ability to contact the central server regarding an alarm (Col 7 Lines 46-53). Courtney, Bhagavath, Northcutt and Fokuhara do not teach the notification signal is any combination of Security Assist, Medical Assist, Fire Assist, Intercom, or Video Intercom. Courtney, Bhagavath, Northcutt and Fokuhara further do not teach the multiple notification signal means.

As shown in Figure 1, Menard teaches a portable unit (200) which allows for the notification of a request for Security, Medical and Fire Assistance to a server as required by claims 35 and 36 (Paragraphs [0024], [0025] and [0033]). Menard further teaches the use of pagers and telephones for communication with the user and an end-user (Paragraphs [0010], [0025], [0029]). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the portable system of Courtney,

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Bhagavath, Northcutt and Fokuhara with the functions of the portable system of Menard in order to provide a user friendly means for performing emergency requests. It would have been obvious to one of ordinary skill in the art to perform different means of contact based on the desired use of the system in which these means could be pagers, telephones, or email (Official Notice).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erick Rekstad whose telephone number is 571-272-7338. The examiner can normally be reached on 8-5.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on 571-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Erick Rekstad
Examiner
AU 2621
(571) 272-7338
erick.rekstad@uspto.gov



GIMS PHILIPPE
PRIMARY EXAMINER